

I. REMARKS

A. Introduction

Applicants submit this Response in a bona fide attempt to (i) advance the prosecution of this case, (ii) answer each and every ground of objection and rejection as set forth by the Examiner, (iii) place the claims in a condition for allowance, and (iv) place the case in better condition for consideration on appeal. Applicants respectfully request reexamination and reconsideration of the above referenced patent application in view of this Response.

B. Response to Action

On February 12, 2004, in response to the January 21, 2004 Restriction Requirement, Applicants elected Specie I, as shown in Figures 1-4. Applicants further submitted that amended Claims 1-22 read on the elected specie.

The Examiner contends that Applicants' Response to the Restriction Requirement was not fully responsive to the Restriction Requirement. The Examiner asserts:

Applicant failed to elect one of the species specified in 1/21/04.
Applicant's election of claims 1-22 as presumably reading on Species I, defined by Figures 1-4 appears to be in error. For example, an election of Species I appears to include at least claims 1-6 but not claim 8, since the device as shown in Species I does not appear to have a cap movably on the body and a hold down spring disposed between the body and the cap as claimed.

Contrary to the Examiner's assertion, Applicants respectfully submit that Specie I does include a cap (16) moveably mounted on the body (12) and a hold down spring (24) disposed between the body (12) and the cap (16). Applicants submit that each of the noted elements/components are shown in Figs. 1-4, which are merely different views of the same device.

The Examiner is further directed to Para. 23 of the specification, which describes the embodiment shown in Figs. 1-4:

The activation of the applicator device 10 by releasing the locking mechanism is performed by downward force applied to the applicator cap 16 while the second end 42 of the applicator device is held against the skin. The cap 16 is biased upwards by a hold down spring 24 which is positioned between the device body 12 and the cap. The cap 16 includes a pin 46 extending downward

from the cap. When the cap 16 is pressed downward against the bias of the hold down spring 24, the pin 46 contacts a ramp 48 on the flexible finger 28 moving the flexible finger outward and disengaging the latch 30 of the flexible finger 28 from the catch 26. This releases the piston 14 and the piston moves downward impacting the stratum corneum with the patch 44.

Applicants respectfully submit that each of the noted components are shown in Figs. 1-4 (see, for example, marked up Figs. 1 & 3, attached hereto).

As set forth below, Applicants further submit that each of the components recited in the claims and/or functional relationship thereof are set forth in Figs. 1-4 and described in detail in the original specification:

Body	(12)
Cap	(16)
Piston	(14)
Impact Spring	(20)
Latching Mechanism	(26) (22) (28) (30)
Releasing Mechanism	(46) (48)
Flexible Finger	(28)
Hold Down Spring	(24)
Lock Mechanism	(26) (22) (28) (30)
An Indicator	(60) (46) (48)
Piston Application Surface	(18)
Piston Release	(46) (48)

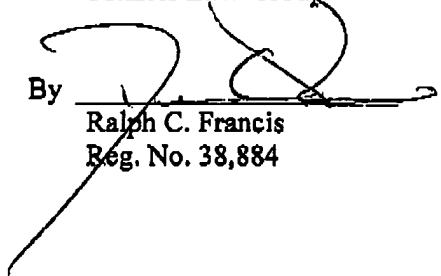
Applicants therefore respectfully request that the Examiner's objection to Applicants' election be withdrawn.

II. CONCLUSION

If the Examiner has any further questions or comments, Applicants invite the Examiner to contact its Attorneys of record at the telephone number below to expedite prosecution of the application.

Respectfully submitted,
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By


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